

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**PLAYTEX PRODUCTS INC.,**

**Plaintiff,**

**-vs-**

**Case No. C-1-02-391**

**PROCTER & GAMBLE CO.,**

**Defendant.**

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**SECOND AMENDED ORDER SETTING NEW BRIEFING AND TRIAL SCHEDULE**

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This matter was before the Court for a scheduling conference on April 28, 2005. As a result of that conference the Court would ORDER that the following briefing and trial schedule be set:

1. Supplemental expert reports regarding liability  
in light of the Federal Circuit Court of Appeals  
decision:

Defendant's:	<b><u>July 29, 2005</u></b>
Plaintiff's rebuttal:	<b><u>August 31, 2005</u></b>
2. Cut-off for fact discovery regarding damages: **September 30, 2005**
3. Cut-off for depositions of experts regarding liability: **September 30, 2005**
4. Exchange expert reports regarding damages: **October 31, 2005**
5. Cut-off for depositions of experts regarding damages: **December 15, 2005**
6. Motions not directed to the pleadings: **January 15, 2006**
7. Joint final pretrial order to be filed by: **June 7, 2006**

8. Final pretrial conference (in chambers): **June 13, 2006**  
**at 3:30 p.m.**

9. Jury trial: **July 17, 2006**

**DONE** and **ORDERED** in Dayton, Ohio, this 24<sup>th</sup> day of May, 2005.

**s/Thomas M. Rose**

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THOMAS M. ROSE, JUDGE  
UNITED STATES DISTRICT COURT